IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 5TH JULY 2007 / 14TH ASHADHA 1929

WP(C).No. 12169 of 2007(W)

PETITIONER:

P.MOHAMMED, PARUVINGAL HOUSE,
EDAPPAL,MALAPPURAM.

BY ADV. SRI.I.DINESH MENON

RESPONDENTS:

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1. THE STATE TRANSPORT APPELLATE TRIBUNAL,
ERNAKULAM.

2. THE REGIONAL TRANSPORT AUTHORITY,
PALAKKAD REP. BY ITS SECRETARY.

3. THE SECRETARY,REGIONAL TRANSPORT
AUTHORITY,PALAKKAD.

4. THE MANAGING DIRECTOR,
KERALA STATE ROAD TRANSPORT CORPORATION,TRIVANDRUM

R1 TO R3 BY GOVT. PLEADER BASANT BALAJI.
R4 BY ADV. SRI.K.PRABHAKARAN, SC FOR K.S.R.T.C.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX (WP(C) NO. 12169 OF 2007)

PETITIONER'S EXHIBITS:

Ext.P1: Copy of the application for regular permit dtd.13.2.2006.

Ext.P2: Copy of the proceeding of R.T.A., Palakkad dtd.21.8.2006.

Ext.P3: Copy of the memorandum of appeal in M.V.A.A.No.717/2006.

Ext.P4: Copy of the counter affidavit filed by the K.S.R.T.C. Dtd.17.1.2007.

Ext.P5: Copy of the judgment in MVAA No.717/06 dtd.27.2.2007.

-True Copy-

P.A.to Judge.

S. SIRI JAGAN, J.

WP(C) NO. 12169 OF 2007 - W

Dated this the 5th day of July, 2007

J U D G M E N T

The petitioner's application for regular permit was rejected on the ground that the proposed route overlaps a notified route. The appeal filed by the petitioner was also rejected on that ground. The petitioner now submits that he is prepared to apply for the regular permit avoiding the overlapping portion and seeks a direction to the second respondent to consider such application.

2. I have heard the learned Government Pleader also.

3. If the petitioner submits an application for regular permit for a modified route, the second respondent shall consider the same and pass appropriate orders in accordance with law, expeditiously, notwithstanding the appellate oder. Needless to say, the K.S.R.T.C. would also be entitled to be heard before final orders are passed in the matter.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007